

MAR 15 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

MIKAIL KHASHAN,

Plaintiff - Appellant,

v.

SEARS ROEBUCK & COMPANY, a
New York corporation; et al

Defendants - Appellees.

Nos. 03-55857

03-57144

D.C. No. CV-03-01823-MLR

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Manuel L. Real, District Judge, Presiding

Submitted March 8, 2006**

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

Mikail Khashan appeals pro se from the district court's order dismissing, for failure to prosecute, his action alleging 20 defendants engaged in unlawful debt

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

collection and information reporting practices in violation of federal and state law. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review for abuse of discretion, *Al-Torki v. Kaempfen*, 78 F.3d 1381, 1384 (9th Cir. 1996), and we affirm.

The district court did not abuse its discretion in dismissing Khashan's action because it is undisputed that Khashan failed to comply with federal and local rules, and the district court's "Notice of Pre-trial Conference Order," which warned him that failure to comply could result in dismissal. *See* Fed. R. Civ. P. 16 (providing for pretrial conferences); Fed. R. Civ. P. 26(a)(1) (requiring initial disclosures); *Henderson v. Duncan*, 779 F.2d 1421, 1423-25 (9th Cir. 1986) (holding dismissal for failure to submit pre-trial order not abuse of discretion).

We do not reach the district court's May 12, 2003 order dismissing the majority of the claims against Providian because it was not an appealable order, *see Chacon v. Babcock*, 640 F.2d 221, 222 (9th Cir. 1981), and we do not review interlocutory orders in an appeal from dismissal for failure to prosecute, *see Al-Torki*, 78 F.3d at 1386.

Khashan's remaining contentions lack merit.

No. 03-55857 DISMISSED.

No. 03-57144 AFFIRMED.